Attorney/Docket No. 31132.163 / PC914.01 Customer No. 000046333



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
 Hai H. Trieu, et al.

Serial No.: 10/701,547

Filed: November 5, 2003

For: Compressible Corpectomy Device

SGroup Art Unit: 3738

Confirmation No.: 8357

Examiner: unknown

SECOND INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner For Patents P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In compliance with the duty of disclosure under 37 CFR §1.56, and in accordance with the practice under 37 CFR §1.97 and §1.98, the Examiner's attention is directed to the documents listed on the enclosed modified Form PTO-1449. No inference should be made that the cited references are in fact material, are in fact prior art, or that no better art exists. The cited patents are listed in numerical order and are not in any order based on their pertinence.

The above-identified application was filed after June 30, 2003. Therefore, pursuant to the waiver of the requirement under 37 CFR 1.98 (a)(2)(i) as stated in a Pre-OG Notice dated July 11, 2003, a copy of only the foreign patent document listed on the enclosed modified Form PTO-1449 is attached.

The undersigned first became aware of the cited patents by their inclusion in an International Search Report issued by the ISA/EP on June 2, 2005, the PCT counterpart of the present application. A copy of the search report is enclosed.

The Commissioner is hereby authorized to charge any fees which may be required or credit any overpayment to Deposit Account 08-1394.

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Respectfully submitted,

Julie M. Nickols ( Registration No. 50,826

Date: 7/4/03 HAYNES AND BOONE, LLP 901 Main Street, Suite 3100 Dallas, Texas 75202-3789

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner For Patents, P.O. Box 1450,

Alexandria, VA 22313-1450 on \_\_\_\_\_

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	(u	se as many sheets	as neces	sary)	Art Unit	3738
					Examiner Name	unknown
	SHEET	1	OF	1	Attorney Docket Number	31132.163 / PC914.01

			U. S. PATENT DO	CUMENTS	
Examiner's Initials	Cite No.	Document Number	Publication Date	Name of Patentee or Applicant of	of Cited Document
	A1	5,236,460	08/17/1993	Barber, et al.	
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Examiner's	Cite		FOREIGN PATENT		
Initials	No.	Foreign Patent Document (Country Code - Number - Kind)	Publication Date	Patentee or Applicant of Cited Document	Translation Y/N
	A2	EP 0 950 389	10/20/1999	Aesculap Ag & Co. KG	

NON-PATENT LITERATURE DOCUMENTS						
Examiner's Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item, date, page(s), volume-issue number(s), publisher, city/country where published				
	A3	Patent Cooperation Treaty – European Patent Office, "Notification of Transmittal of The International Search Report and The Written Opinion of the International Searching Authority, or the Declaration," June 2, 2005, 18 pages				

Examiner	Date
O'man A	Date
Signature	Considered
	Considered

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.